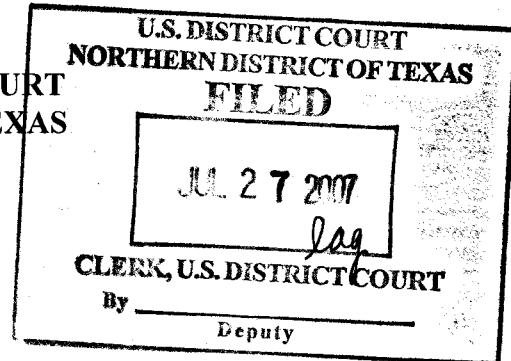


**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**



No. 3:05-CV-1928-M

COURT'S ADDITIONAL CHARGE TO THE JURY

MEMBERS OF THE JURY:

The general instructions previously given to you are still in effect. Based upon your answers to the questions in the first phase of this trial, now you must determine what amount of punitive damages, if any, should be assessed against Bobrich Enterprises. Punitive damages are not intended to compensate a claimant for injuries, but are intended to punish a defendant and to deter similar wrongful conduct in the future. In determining what amount of punitive damages, if any, to assess against Bobrich Enterprises, you should try to determine a fair, just, and reasonable amount to award under all of the circumstances. You may consider the gravity of the actions being punished, the financial status of Bobrich Enterprises, its ability to pay an award, and the purposes of punitive damages.

The law does not require you to award punitive damages; however, if you decide to award punitive damages, you must use sound reason in setting the amount. The amount of an award of punitive damages must not reflect bias, prejudice, or sympathy toward any party. However, the amount can be whatever amount you believe necessary to fulfill the purposes of punitive damages.

QUESTION IX

What sum, if any, do you find by a preponderance of the evidence should be imposed against Bobrich Enterprises as punitive damages?

Answer in dollars and cents: \$100,000.00

POST-ARGUMENT INSTRUCTIONS

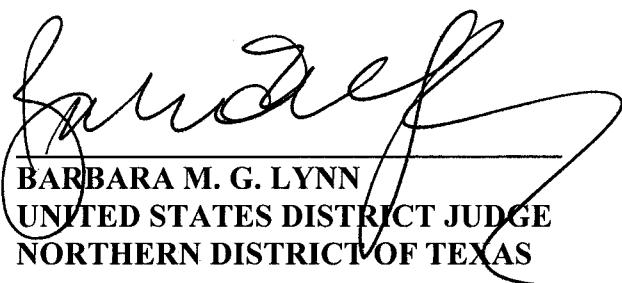
You will now retire to the jury room. Do not deliberate unless all of you are present in the jury room. In other words, if one or more of you go to lunch together or are together outside the jury room, do not discuss the case.

After you have reached your verdict, your Foreperson must fill in your answers to the written questions and sign and date the verdict form. Unless I direct you otherwise, do not reveal your answer until such time as you are discharged.

After you have reached your verdict, you will return this Charge together with your written answers to the questions. Do not reveal your answers to anyone besides other members of the jury until such time as you are discharged, unless otherwise directed by me. You must never disclose to anyone, not even to me, your numerical division on any question, unless I specifically instruct you otherwise. Depending on your answers, the Court may submit additional questions before you are discharged.

Your Foreperson will sign in the space provided below after you have reached your verdict.

July 27, 2007.



BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS